IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 14561 of 2005

Between:

Sudhir Kumar, S/o. Satyanarayan,
R/o. H.No. 14-11-248, Dhoolpet, Hyderabad-500 012.

..... PETITIONER

AND

1 Director General of Police, Saifabad, Hyderabad.
2 Commissioner of Police, Hyderabad.
3 The Station House Officer, Mangalhat Police Station, Hyderabad.
4 Smt. Saritha Bai, R/o. House bearing survey No. 317, Plot No. 29, 30
Vinayaknagar Colony, Sahikpet, Hyderabad.
5 Sri Balwant Singh, S/o. Not known
R/o.H.No. 12-1-433, Beside Dattatreya Temple, Sitarambagh, Hyderabad.
6 Smt. Nandini Bai W/o. Balwant Singh,
R/o.H.No. 12-1-433, Beside Dattatreya Temple, Sitarambagh,Hyderabad.
7 Mr. Narendra Singh, S/o. Balwant Singh,
R/o.H.No. 12-1-431/1, Beside Dattatreya Temple, Sitarambagh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of Hebeas

Corpus directing the respondents to produce Shanker Singh alias Sonu S/o. Sudhir Kumar, aged about 16 years, R/o. Survey No. 317, Plot No. 29, 30, Vinayak Nagar Colony, Shaikpet, Hyderabad,. before this Hon'ble Court and set him at liberty in the interest of justice and to pass such other order or orders as this Hon'ble Court deems fit and proper.

Counsel for the Petitioner : Mr.N.GOPI CHAND (Not appeared)

Counsel for Respondent Nos.1 to 3.: THE ADVOCATE GENERAL

Counsel for Respondent Nos: 4 to 7:

The Court made the following :

ORDER: (per the Hon'ble Smt.Justice T.Meena Kumari)

When the matter was called yesterday, learned counsel for the petitioner was absent. Today also, when the matter is called, there is no representation for the petitioner. Hence, the matter is decided basing on the material available on record.

The present Writ Petition has been filed seeking a Writ of Habeas Corpus to direct the respondents to produce Shanker Singh alias Sonu, S/o.Sudhir Kumar, before this Court and set him at liberty.

In the counter-affidavit filed by the third respondent it is stated that the boy by name Mr. Sonu expired on 10.06.2004 at 12.45 hours while undergoing treatment at NIMS Hospital. Thereafter, his father lodged a complaint with the Golconda Police stating that the boy died. During the course of investigation, the Golconda Police examined the complainant and his wife and recorded their statements. Thereafter, they visited NIMS and shifted the dead body to the Osmania General Hospital mortuary. After conducting postmortem examination, the Doctors opined that the death of the deceased was due to "poisoning due to Oranophosphate, an insecticide poision".

In view of the above statement made in the counter-affidavit that the boy died on 10.06.2004 at 12.45 hours, no orders need be passed in this Writ Petition.

Accordingly, the Writ Petition is dismissed.

(T.MEENA KUMARI, J)

(P.LAKSHMANA REDDY, J)

To

1 The Director General of Police, Saifabad, Hyderabad.
2 The Commissioner of Police, Hyderabad.
3 The Station House Officer, Mangalhat Police Station, Hyderabad.
4 Two CCs to the Advocate General, High Court of A.P.,. Hyderabad (OUT)

5. The Special Officer, Public Interest Litigation Cell, High Court

Buildings, Hyderabad

6. The Secretary, A.P.State Legal Aid and Advisory Board, High

Court Buildings, Hyderabad

7. The Secretary to Government of A.P., Home Department,

Secretariat, Hyderabad

8. The Section Officer, Legal Services Authority, Legal Aid

Building, Hyderabad

9. Two CD copies